

REMARKS

Claims 1-10 have been examined.

I. Rejections under 35 U.S.C. § 103(a) in view of U.S. Patent No. 6,760,779 to Riceman (“Riceman”) and U.S. Patent No. 5,463,329 to Kawasaki et al. (“Kawasaki”)

The Examiner has rejected claims 1-4 and 7-10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Riceman in view of Kawasaki. Applicant notes that on page 2 of the Office Action, the Examiner includes claims 5 and 6 in the listing of claims rejected in view of Riceman and Kawasaki. In view of the additional § 103(a) rejection of claims 5 and 6 set forth below, however, Applicant assumes the inclusion of claims 5 and 6 in the present rejection is a typographical error. Applicant respectfully requests the Examiner’s clarification in this regard.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites, “wherein a first switching level of the first protocol differs from a second switching level of the second protocol.”

The Examiner acknowledges that Riceman fails to disclose the above feature, but contends that Kawasaki does. In particular, the Examiner refers to Figure 4 of Kawasaki and maintains that Figure 4 can be used, “for the 12- Fig. 2 of Riceman” (pg. 3 of Office Action). Although the Examiner’s wording is unclear, Applicant assumes that the Examiner alleges that the disclosure of Figure 4 of Kawasaki can be used in the data input/output device 12 of Figure 2 of Riceman.

Applicant respectfully traverses the Examiner's position. For example, Figure 4 is discussed in the Background section of the Kawasaki reference. As indicated, Figure 4 is a terminal-voltage diagram that illustrates conversion of input logic voltages, i.e., input signals at input terminal 2 and the change in voltage at the transistor Q3 in accordance with the input signals (col. 1, lines 29-31). In portion (a) of Figure 4, the voltage range of an input signal from a CMOS circuit is shown, while in portion (c), the voltage range of an input signal from a TTL circuit is shown (col. 1, lines 32-40). Such disclosure fails to relate to the claimed first and second switching levels set forth in claim 1.

Furthermore, as motivation for modifying Riceman with the teachings of Figure 4 of Kawasaki, the Examiner maintains that it would be obvious for one skilled in the art to combine Riceman with Kawasaki, "for faster and more secure data transmission." Applicant is unsure how, based on the diagram of Figure 4 of Kawasaki, the Examiner has determined the alleged motivation or reasoning, nor how the depicted voltage ranges of the specific circuits disclosed in Figure 4 of Kawasaki are to be provided in the invention of Riceman in such a manner that one skilled in the art would arrive at the claimed invention.

At least based on the foregoing, Applicant submits that one skilled in the art would not be motivated to combine the teachings of Figure 4 of Kawasaki with the invention of Riceman and additionally, that even if allegedly combined, the combination would fail to teach or suggest the claimed invention. Accordingly, Applicant submits that claim 1 is patentable over the cited reference.

If the rejection is to be maintained, Applicant respectfully requests further clarification from the Examiner in regard to where the alleged motivation is taught or suggested (i.e., how the diagram of Figure 4 of Kawasaki would provide faster and more secure data transmission). Further, Applicant respectfully requests the Examiner to clarify how Figure 4 of Kawasaki is deemed to actually disclose the claimed switching level feature of claim 1.

B. Claims 2-4 and 7-9

Applicant submits that claims 2-4 and 7-9 are patentable at least by virtue of their dependency.

C. Claim 10

Since claim 10 contains features that are analogous to the features recited in claim 1, Applicant submits that claim 10 is patentable for at least analogous reasons as claim 1.

II. Rejections under 35 U.S.C. § 103(a) in view of Riceman, Kawasaki and U.S. Patent No. 5,504,873 to Martin et al. (“Martin”)

The Examiner has rejected claims 5 and 6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Riceman, Kawasaki and Martin. Since claims 5 and 6 are dependent upon claim 1, and Martin fails to cure the deficient teachings of Riceman and Kawasaki, at least in regard to claim 1, Applicant submits that claims 5 and 6 are patentable at least by virtue of their dependency.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Allison M. Tulino
Registration No. 48,294

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: April 22, 2008